unit, however, who wishes to take up a portion would have to seek the permission of the District Head. 423 311

36. Again, if a stranger comes into the district and lives there for a sufficiently long while to become accepted as one of the Kagoro themselves then he can be loaned land to build a house on by anyone who cares to lend him it. It is *loaned*, not given or sold. If, however, a stranger were to come to the district for the first time and wished to do the same thing the would-be lender would first of all have to obtain the District Head's consent. 609 423 426

37. There was an old site in the Agwan village unit formerly used by Railway Construction Workings. When the Railway Construction moved on to Kafanchan the Agwan villagers returned to the site. The site, however, was very convenient as a building site and the former District Head in consultation with his Village Heads decided to allocate it as such. This decision was accepted. More recently a farmer in the neighbourhood protested against a farm of his being so allocated for further plots. The Elders who were collected and consulted upheld the decision that the District Head was entitled to decide that the land should be used for this purpose and that custom would agree (cf. the Hausa proverb—*Gari ya kore gona*). Similar circumstances arose recently in the Kpak village unit where specific lands were ' set aside ' by the District Head for Hausa and Ibo enclaves. They did not want indiscriminate settlement by outsiders and so decided to keep them fixed in a specific area. 631 622 623 423

38. It must be remembered that in no one of these circumstances could the District Head be said to have acted in accordance with his traditional powers. He is not a traditional entity. He has acted as representative of and in consultation with his Elders who are the representatives of tradition and who, by consent, have acted in novel circumstances as they would have acted traditionally. It is of great interest to note that these somewhat primitive people seem to be in the process of evolving " central powers " very similar to those accepted by customary law in the Emirates. Whether or not, as mentioned above, this is from within or a mere copying it is difficult to say. It must be remembered, however, that they are somewhat backward people, the Elders are very conservative, have a considerable say in matters and are very independent minded. It is fairly certain that the District Head could not move in such matters without their definite consent. 631 622 [623] 167 423 609

39. Though there appears to be a certain amount of intermingling by and absorption of non-Kagoro elements coming Immigration.

423 into the district, this intermingling is confined to members of the
609 neighbouring Katab, Kaje and Attakar tribes whose tribal customs
●167 are somewhat similar. Other elements are restricted to their own special enclaves. This has occurred in the case of both Hausas and Ibos. A special area has been set aside for them and the latter are not loaned farms outside the area. One Yoruba has a farm in the district; but this is a very special case. He was a very great
167 friend of long standing of a previous District Head who had loaned
423 him one of his farms. The present District Head had opened, just
609 prior to my arrival, a register in which all Ibos who had been given
217 permission to build a house on land loaned to them were being required to sign their names. The first page of the book reads, in Hausa:—

[539] "In accordance with the decision of the District Head in consultation with his Elders we have seen fit to grant strangers wishing to build houses the loan of land, for the purposes of building only, at Kpak near the Railway Station and the Hausa quarter. The land is not given for farming purposes.

Since the land is loaned they have not the right to do anything on it but build. When they wish to leave they have not the right to sell the buildings that they have built to whoever they deem fit, but only with the knowledge and agreement of the Village Head.

Further the District Head can dismiss a man from the land if he does not live in harmony with the people of the district or if the land is wanted for another purpose.

Accordingly whoever has been given a place to build on must sign his name in this book."

Subsequent pages read, in Hausa:—

PROMISE

Date	*No.*	
	1	I, ... understand and agree
	2	I, ... understand and agree
etc.	etc.	

Plateau Report paragraph 138.

40. It may be that this is a copying of the procedure initiated at Kafanchan to which Rowling refers at paragraph 138 of his Plateau Report. The District Head assured me, however,
423 that he did not know they were doing anything like it at Kafanchan
609 and he had thought it out by himself to prevent future disputes.
217 It would not be applied to the Hausa enclave as they never occasioned disputes. But the Ibos were different. One knew their
[181] habits.

manuring. Emigration has already started to take place along the southern border of the district into the Keffi Division and along the south-eastern border into Jema'a where the emigrants are loaned land and accepted as welcome additions to the tax lists. It would not appear that any payments in cash or kind have been *so far* demanded from them. What will develop in future is anybody's guess. This question will be returned to at a later stage of the report. 423 167

48. The following transactions affecting land are permitted by local custom:— Alienation of lands. 425

Sale—(*saye*) in special circumstances
Loan—(*aro*)
Pledge—(*jingina*)

Gift or exchange do not appear to take place. Such transactions would be regarded locally as loans. Share cropping is unknown. So also is renting or leasing. Such transactions would not be acknowledged as being in conformance with tribal custom. Their introduction would be strongly opposed by responsible elements.

49. In pre-British times the outright sale of land was permitted, but *only in one particular circumstance*. An essential preliminary to marriage was a gift of a goat by the suitor to the girl's relatives. It was an infallible rule—no goat, no girl. Consequently if a man had no goat he was allowed, after consultation with and with the consent of his own relatives, to sell a field to get himself a goat. His own relatives would, of course, probably give him a goat if he had not one himself; but in the last resort and if he could obtain the goat by no other means, then he was allowed to sell a field to get the goat. The sale would be outright and neither he, his descendants nor his relatives nor their descendants could subsequently sustain a claim to the land. Any such sale would have to be reported to the head of the community and could not take place without his knowledge. It would have to be with the consent of his relatives and, above all, could take place in no other circumstance than that of obtaining the bride price—a goat for the prospective wife. Sale 425 585

50. When the British came, however, (so local report has it) they prohibited the sale of farms—even in these special circumstances. Sales do not now take place. Indeed, according to the Elders, even if allowed by the British it is doubtful whether local opinion would agree to the revival of the custom. After all, in those days lands were more than ample. Nowadays it is very different. And anyway nowadays if a man was hard up and wanted money either for a wife, tax or any other reason all he had to do was to become a labourer for a while and he could get the money. There 425 177 425

4: Cole G-5 (1948) 1949 FF38 Katab FF38
Jaba
Hausa MS12

appeal beyond the local Native Court. This point will be dealt with at a later stage of the report. It may be said, here, that such appeals are so extremely rare as to be almost non-existent.

70. Except for the Kaje there is little if any immigration by aliens on to the Jaba lands. Immigration.

ZANGON KATAB DISTRICT

71. The Administrative Organisation of this district is identical with that described in paragraphs 14 and 57. There is a central Hausa enclave, in which the District Head has his headquarters and from which the district is administered. This is surrounded by lands of the various pagan tribes, principally the Katab, Kaje and Chawai. Population details are:—

Hausa ...	... 5,587		
Kaje ...	... 21,633	(22,446)	(the balance in Kachia District).
Katab ...	... 16,471	(19,243)	(the balance in Moroa and Kagoro).
Chawai	... 8,653	(8,653)	
Ikulu ...	... 5,533	(5,533)	
Kamantan	... 3,409	(3,409)	
Others ...	... 1,573		

The figures in brackets indicate the total number of the tribe in the Province.

72. The Hausa enclave consists of a small town surrounded by its farmlands and fallow with a few outlying hamlets—the normal Hausa pattern. It has existed for a very considerable time, well over a hundred years, its inhabitants having come in the first place as conquerors and established themselves on what were once Katab lands by right of conquest. It was the most far flung outpost of the old Kauru fief. The present boundaries of the enclave were established some thirty years ago by the British administration. They were readjusted some twelve years ago to include additional lands as the original area was found to be inadequate. Any further 'adjustment' of this nature would lead to complications as the Katab and Kaje themselves have little if any spare lands. (*See* Political Memorandum No. 8, paragraph 32, exception (*c*)). As we have seen, in paragraph 70 above, the Kaje themselves are 'borrowing' land from the Jaba area and, paragraph 19, the Katab have encroached into the Kagoro district. The dissolution of the Katab village unit of Tum and its absorption into the Kagoro unit of Fada has a significance in this connection. The Hausa enclave.

[p.20]